FPOM: WHITE Cases 1:67 Ctr-01125-GBD FDocument 5293 FFIEd 05/28/2008 Fager 6724PM P



U.S. Department of Justice

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

May 23, 2008

The conference is adjourned to July 9, 2008 at 10:00 a.m.

BY FACSIMILE

Honorable George B. Daniels United States District Court Southern District of New York United States Courthouse 500 Pearl Street New York, New York 10007

Re:

United States v. Carmen Cicalese et al.

07 Cr. 1125

Dear Judge Daniels:

The Government writes with regard to the status of the above-referenced case. All of the defendants who have appeared in the case have plcd guilty or will plead guilty by June 4, 2008 except for three defendants: Julius Migdal, Patrick Cicalese and Langhorn Carter Rorer. The Government is in plea discussions with respect to each of these defendants and requests that the conference presently scheduled for May 28, 2008 be adjourned for approximately five to six weeks.

The Government seeks an exclusion of time until a any new conference date. Defense counsel all consent to this adjournment. The Government submits that time should be excluded under 18 U.S.C. § 3161(h)(8)(A) in the interests of justice is in the interests of justice and outweighs the needs of the defendants or public in a speedy trial.

Respectfully submitted,

MICHAEL J. GARCIA United States Attorney

By:

Arlo Devlin-Brown Assistant United States Attorney (212) 637-2506

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cc: Mark Baker, Esq. (Counsel for Patrick Cicalese)

David Cohen, Esq. (counsel for Julius Migdal)

John Mitchell, Esq. (counsel for Louis Brown)

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